

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	
)	Case No. 1:19-mj-231
ALLISON ELIZABETH FLUKE-EKREN,)	
a/k/a "Allison Elizabeth Brooks,")	
a/k/a "Allison Ekren,")	
a/k/a "Umm Mohammed al-Amriki,")	
a/k/a "Umm Mohammed,")	
a/k/a "Umm Jabril,")	
)	
Defendant.)	

**GOVERNMENT'S MOTION TO UNSEAL CRIMINAL CASE AND
MEMORANDUM IN SUPPORT OF DETENTION**

The United States of America, by and through undersigned counsel, respectfully requests that the above-captioned case, including all documents and entries filed in case number 1:19-mj-231, be unsealed. The government further requests that the defendant be detained pending trial in this matter. In support thereof, the government provides the Court with the following information:

I. Overview and the Defendant's Capture

On May 15, 2019, the U.S. Attorney's Office for the Eastern District of Virginia (EDVA) and the Federal Bureau of Investigation (FBI) charged Allison Elizabeth Fluke-Ekren (Fluke-Ekren) by sealed criminal complaint in this Court with providing and conspiring to provide material support or resources to the Islamic State of Iraq and al-Sham (ISIS), in violation of 18 U.S.C. § 2339B. The charging documents and related materials were sealed by Order of the Court at that time because Fluke-Ekren had not yet been captured overseas.

Fluke-Ekren was previously apprehended in Syria. The FBI took custody of Fluke-Ekren overseas today, January 28, 2022, at which point she was flown on a U.S. government aircraft directly to EDVA this evening. Fluke-Ekren is expected to make her initial appearance before this Court on January 31, 2022 at 2:00 p.m. Fluke-Ekren was born in the United States. She is fluent in the English and Arabic languages, and potentially, Turkish and Spanish as well.

II. The Defendant's Alleged Terrorism-Related Conduct

The government is seeking Fluke-Ekren's detention pending trial in this matter on grounds of dangerousness and risk of flight. Because Fluke-Ekren is charged with a terrorism-related offense involving conduct committed on behalf of ISIS, in violation of 18 U.S.C. § 2339B, there is a statutory presumption in favor of detention. *See* 18 U.S.C. §§ 3142(e)(3)(C); 2332b(g)(5)(B). The government is prepared to make additional arguments at any forthcoming detention hearing. However, given the serious nature of this case, the government provides the Court with the following summary of the allegations set forth in the 2019 criminal complaint. Furthermore, the government proffers additional evidence that it has gathered during its ongoing investigation, including information from witness interviews that undersigned counsel and the FBI conducted following the filing of the 2019 criminal complaint, to support its detention request.¹

As alleged, Fluke-Ekren is a 42-year-old former resident of Kansas who traveled to Syria

¹ The summary of Fluke-Ekren's alleged criminal conduct set forth in this filing is not intended to convey all of the facts and evidence about the defendant that are known to the government. EDVA and FBI have gathered additional evidence of Fluke-Ekren's terrorism-related activities. Many of the witnesses who are prepared to testify against Fluke-Ekren, including those described in this memorandum, have received certain logistical and other benefits from the government, including cooperation, proffer, and/or immunity-related agreements. The government will begin providing pre-indictment discovery to Fluke-Ekren's counsel, when one is appointed, following the entry of a Protective Order in this case.

for the purpose of committing or supporting terrorism. Fluke-Ekren departed the United States in or around 2008 and moved to Egypt.² Fluke-Ekren resided in Egypt until in or around 2011 (including periodic visits to the United States between 2008 – 2011), at which point she moved to Libya for approximately one year. In or around 2012, Fluke-Ekren and others with whom she traveled were smuggled into Syria because, according to one witness, the terrorist organization Ansar al-Sharia was no longer conducting attacks in Libya, and Fluke-Ekren wished to engage in violent *jihad*. According to the same witness, in addition to Syria, Fluke-Ekren also spent some time residing in Mosul, Iraq when it was controlled by ISIS.

Fluke-Ekren’s alleged ISIS-related conduct includes, but is not limited to, planning and recruiting operatives for a potential future attack on a college campus inside the United States and serving as the appointed leader and organizer of an ISIS military battalion located in Syria, known as the Khatiba Nusaybah, in order to train women on the use of automatic firing AK-47 assault rifles, grenades, and suicide belts. Additionally, Fluke-Ekren allegedly provided ISIS and ISIS members with services, which included providing lodging, translating speeches made by ISIS leaders, teaching extremist ISIS doctrine, and training children on the use of AK-47 assault rifles, grenades, and suicide belts.³

The criminal complaint details the eyewitness observations of six separate individuals who collectively observed Fluke-Ekren’s alleged terrorist conduct from at least 2014 through approximately 2017. For example, Fluke-Ekren told a witness about her desire to conduct an

² According to travel records, Fluke-Ekren has not been in the United States since on or about January 8, 2011, until she was transferred in custody to EDVA today, January 28, 2022.

³ Although the government has evidence indicating that Fluke-Ekren has been involved with other terrorism-related activities prior to 2014—evidence that the government anticipates presenting should this matter proceed to trial—the previously filed criminal complaint focuses on the time period of 2014 onwards to describe Fluke-Ekren’s ISIS-related conduct.

attack in the United States. To conduct the attack, Fluke-Ekren explained that she could go to a shopping mall in the United States, park a vehicle full of explosives in the basement or parking garage level of the structure, and detonate the explosives in the vehicle with a cell phone triggering device. Fluke-Ekren considered any attack that did not kill a large number of individuals to be a waste of resources. According to the same witness, Fluke-Ekren would hear about external attacks taking place in countries outside the United States and would comment that she wished the attack had occurred on United States soil instead.

The complaint further describes Fluke-Ekren's alleged leadership role in the Khatiba Nusaybah. According to a witness, in or around late 2016, the "Wali" (or ISIS-appointed mayor) of Raqqa, Syria, permitted the opening of the "Khatiba Nusaybah," which was a military battalion comprised solely of female ISIS members who were married to male ISIS fighters. Shortly thereafter, Fluke-Ekren became the leader and organizer of the battalion. Fluke-Ekren's main objective in this role was to teach the women of ISIS how to defend themselves against ISIS' enemies, including helping male fighters defend ISIS-controlled Raqqa. According to another witness, ISIS mandated women who were staying in Raqqa during the 2017 siege to attend the training.⁴ The siege was launched by the Syrian Democratic Forces (SDF) against ISIS with an aim to seize Raqqa, the former de facto capital of ISIS in Syria. The battle began on or about June 6, 2017 and concluded on or about October 17, 2017, at which point the SDF regained control of Raqqa.

⁴ For example, in the 100th issue of *al-Naba* (a former ISIS newspaper), which was distributed on or about October 5, 2017, ISIS urged women to fight on the battlefield alongside men in order to defend the terrorist organization. In the article, "The Duty of Women in Waging Jihad Against the Enemy," the author explained that in the context of the war on ISIS, "it is mandatory for the Muslim women to fulfill their duty from all aspects in supporting the *mujahideen* [male fighters] in this battle, by preparing themselves as *mujahidat* [female fighters] in the cause of Allah, and readying to sacrifice themselves to defend the religion of Allah."

The members of Khatiba Nusaybah were instructed on physical training (including martial arts), medical training, Vehicle-Borne Improvised Explosive Device (VBIED) driving courses, religious classes, and how to pack and prep a “go bag” with rifles and other military supplies. According to eyewitness accounts, some of these classes were taught by Fluke-Ekren. One witness observed that the leaders of ISIS and the other members of the military battalion were proud to have an American instructor. According to multiple witnesses who are prepared to testify in this case, Fluke-Ekren also trained children on the use of AK-47 assault rifles, grenades, and suicide belts. A witness observed one of Fluke-Ekren’s children, who Fluke-Ekren said was approximately five or six years old at the time, holding a machine gun at Fluke-Ekren’s residence in Syria.

When asked how radicalized Fluke-Ekren was, according to one witness who interacted with Fluke-Ekren in Syria, Fluke-Ekren was “off the charts” and an “11 or a 12” on a scale of 1 to 10, with 10 being extremely radicalized. According to the same witness, over 100 women and young girls received military training from Fluke-Ekren in Syria on behalf of ISIS. In doing so, the witness stated that Fluke-Ekren would seek to motivate her trainees by explaining how female fighters can ensure the Islamic State is kept alive by “helping ISIS expand and to remain” through the use of weapons, including AK-47 assault rifles, grenades, and suicide belts packed with explosives.

Fluke-Ekren informed another witness in 2018 that she had instructed an individual in Syria to send a message to one of her family members stating that Fluke-Ekren was dead so that the U.S. government would not attempt to locate her. Fluke-Ekren informed this same witness and others that it was important to kill the *kuffar* (disbelievers) and die as martyrs on behalf of ISIS in Syria. The witness also heard Fluke-Ekren state that she never wanted to return to the

United States and that she wanted to die in Syria as a martyr.

III. Conclusion

Fluke-Ekren has now been arrested by the FBI, transferred to EDVA following over 11 years of absence from the United States, and the security concerns surrounding the details of this matter no longer warrant sealing.

As detailed in the affidavit in support of the criminal complaint and through significant additional evidence developed by the government, Fluke-Ekren has been a fervent believer in the radical terrorist ideology of ISIS for many years, having traveled to Syria to commit or support violent *ji*had. Fluke-Ekren translated her extremist beliefs into action by serving as the appointed leader and organizer of an ISIS military battalion, directly training women and children in the use of AK-47 assault rifles, grenades, and suicide belts to support the Islamic State's murderous aims. Numerous witnesses have informed the government that they are prepared to testify against Fluke-Ekren to describe her extreme terrorism-related activities. Given the strong evidence supporting the charge that Fluke-Ekren actively provided and conspired to provide material support to a lethal terrorist organization, the Court should detain her pending trial to protect the safety of our communities.

Respectfully submitted,

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United States Attorney

By: /s/ **Raj Parekh**
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CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2022, I provided the foregoing document to the chambers of the duty U.S. Magistrate Judge for public filing purposes should the Government's Motion to Unseal be granted.

/s/ **Raj Parekh**
Raj Parekh
First Assistant U.S. Attorney